IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

-

WRIT PETITION NO : 13880 of 1995

Between:

1 Mr. Nizamuddin Sherza, S/o. late Mohiuddin Sherza,
R/o.Banjara Green, Plot No. 19, Road No.12,
Banjara Hills.
2 Smt. G.K. Annapurna, W/o. G.V.Bhaskara Raju,
R/o. S.B.I. Colony, Mehdipatnam,
Hyderabad.

..... PETITIONERS

AND

1 The District Collector,
Hyderabad
2 The Mandal Revenu Officer,
Golkonda Mandal, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order direction particularly one in the nature if writ of mandamus declaring the action of the respondents in resorting to demolition of the structures and compound walls of the petitioner relating to plot nos. 32/A, and 60/C respectively of Sri venkateshwara cooperative house building society for A.P legislators ltd. Hyderabad layout and consequently direct the respondents not interfere with possession and enjoyment of the petitioners of the above said plots including the demolition of the structures and compound walls there on and pass.

Counsel for the Petitioners: MR.P.RADHAKRISHNA, Advocate

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

HON'BLE SRI JUSTICE BILAL NAZKI

W.P.NO. 13880 OF 1995

ORDER:

Heard learned counsel for the parties. The case of the petitioners is that they have purchased a piece of land and raised structures, but the Government was contemplating to demolish the structures without any reason and take possession of the land. In the counter-affidavit the Government states that it is the Government land which is being sought to be grabbed by the petitioners. These are questions of fact which cannot be gone into in this writ petition. The writ petition as such to that extent is misconceived. In the counter-affidavit the Government also states that the petitioners have encroached the Government land which was not allotted or handed over to any society and which had been in possession of the Government. In these circumstances, no orders can be passed by this Court. The parties may workout their remedies in Civil Court, if so advised. The writ petition is accordingly dismissed. No costs.

KR 12.8.2004

Sd/-

Asst. Registrar

//True Copy//

Section Officer

To

1 The District Collector,
Hyderabad
2 The Mandal Revenu Officer,
Golkonda Mandal, Hyderabad.

3. 2CCs to GP for Revenue, High Court Buildings, Hyderabad

4 2CD copies